

AMENDED IN ASSEMBLY MAY 3, 2006

AMENDED IN ASSEMBLY APRIL 25, 2006

AMENDED IN ASSEMBLY MARCH 27, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 2509

**Introduced by Assembly Member Daucher
(Coauthor: Assembly Member Berg)**

February 23, 2006

An act to add Section 120392.9 to the Health and Safety Code, relating to immunizations.

LEGISLATIVE COUNSEL'S DIGEST

AB 2509, as amended, Daucher. Immunizations.

Under existing law, the State Department of Health Services is responsible for the licensure and regulation of health facilities, including general acute care hospitals, as defined.

Under existing law, the department also has responsibilities relating to the prevention and control of communicable diseases by various means, including requiring immunization by vaccine for various populations.

Existing law requires a skilled nursing facility, an intermediate care facility, or a nursing facility, as defined, to offer immunizations for influenza and pneumococcal disease to its residents, aged 65 years or older, between October 1 and April 1 of each year, and to offer pneumococcal vaccine to all new admittees. The facility is required to be reimbursed the standard Medi-Cal rate for vaccines provided to Medi-Cal recipients, except under specified circumstances. Existing law requires the facility to obtain informed consent for the

immunization services from the resident or, if the person lacks the capacity to make medical decisions, for the person legally authorized to make medical decisions on the resident's behalf.

This bill would require a general acute care hospital, pursuant to its own standardized procedures and if it has the vaccine in its possession, *each year, commencing October 1 to the following April 1, inclusive*, to offer, prior to discharge, immunizations for influenza and pneumococcal disease to its inpatients, aged 65 years or older.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 120392.9 is added to the Health and
2 Safety Code, to read:
3 120392.9. Pursuant to its standardized procedures and if it has
4 the vaccine in its possession, *each year, commencing October 1*
5 *to the following April 1, inclusive*, a general acute care hospital,
6 as defined in subdivision (a) of Section 1250, shall offer, prior to
7 discharge, immunizations for influenza and pneumococcal
8 disease to inpatients, aged 65 years or older, based upon the latest
9 recommendation of the Advisory Committee on Immunization
10 Practices of the federal Centers for Disease Control and
11 Prevention, and the latest recommendations of appropriate
12 entities for the prevention, detection, and control of influenza
13 outbreaks in California general acute care hospitals.

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